

SENATE BILL 331 (LRB -3339)

An Act to amend 78.015 (1), 78.12 (4) (a) 4. and 78.12 (4) (b) 2. of the statutes; relating to: eliminating the annual adjustment of the motor vehicle fuel tax rate. (FE)

2005

09-15.	S.	Introduced by Senators Reynolds, Zien, Grothman, Lazich and Leibham ; cosponsored by Representatives Wood, F. Lasee, Gundrum, Jeskewitz, Kerkman, Kestell, Lothian, McCormick, Pridemore and Vukmir .	
09-14.	S.	Read first time and referred to committee on Natural Resources and Transportation	345
09-15.	S.	Representative Kreibich added as a cosponsor	350
09-28.	S.	Fiscal estimate received.	
09-29.	S.	Senate amendment 1 offered by Senator Reynolds (LRB a1068)	381
09-29.	S.	Public hearing held.	
10-18.	S.	Fiscal estimate received.	
11-01.	S.	Executive action taken.	
11-04.	S.	Report passage by committee on Natural Resources and Transportation, Ayes 2, Noes 3	436
11-04.	S.	Available for scheduling.	
12-05.	S.	Representative Ziegelbauer added as a cosponsor	475
12-05.	S.	Rereferred to joint committee on Finance, pursuant to Senate Rule 41 (1)(e), by committee on Senate Organization, Ayes 5, Noes 0	475
12-05.	S.	Withdrawn from joint committee on Finance and placed on the calendar of 12-6-2005 by committee on Senate Organization, pursuant to Senate Rule 41 (1)(e)	475
12-06.	S.	Read a second time	481
12-06.	S.	Senate amendment 2 offered by Senator Carpenter (LRB a1712)	481
12-06.	S.	Refused to indefinitely postpone, Ayes 12, Noes 21	481
12-06.	S.	Senate amendment 3 offered by Senators A. Lasee, Lazich, Stepp, Roessler, Harsdorf, Darling, Brown, Cowles, Reynolds, Leibham, Kedzie, Zien, Schultz and Grothman (LRB a1729)	481
12-06.	S.	Senate amendment 4 offered by Senator Carpenter (LRB a1733)	481
12-06.	S.	Senate amendment 5 offered by Senator Lassa (LRB a1748)	481
12-06.	S.	Senate amendment 6 offered by Senator Schultz (LRB f169)	481
12-06.	S.	Senate amendment 2 placed after Senate amendment 6	481
12-06.	S.	Senate amendment 4 placed after Senate amendment 2	481
12-06.	S.	Senate amendment 1 to Senate amendment 3 offered by Senator Miller (LRB f170)	481
12-06.	S.	Senate amendment 1 to Senate amendment 3 withdrawn and returned to author	482
12-06.	S.	Senate amendment 2 to Senate amendment 3 offered by Senator Jauch (LRB f171)	482
12-06.	S.	Senate amendment 2 to Senate amendment 3 rejected, Ayes 18, Noes 14	482
12-06.	S.	Senate amendment 3 adopted	482
12-06.	S.	Senate amendment 5 placed after Senate amendment 4	482
12-06.	S.	Senate amendment 1 to Senate amendment 6 offered by Senator Grothman (LRB f172)	482
12-06.	S.	Senate amendment 1 to Senate amendment 6 adopted	482
12-06.	S.	Senate amendment 6 adopted	482
12-06.	S.	Senate amendment 2 laid on table	482
12-06.	S.	Senate amendment 4 laid on table	482
12-06.	S.	Senate amendment 5 laid on table, Ayes 27, Noes 6	482
12-06.	S.	Senate amendment 7 offered by Senator S. Fitzgerald (LRB a1757)	482
12-06.	S.	Senate amendment 7 withdrawn and returned to author	482
12-06.	S.	Ordered to a third reading	482
12-06.	S.	Rules suspended	482
12-06.	S.	Read a third time and passed , Ayes 20, Noes 13	482
12-06.	S.	Ordered immediately messaged	482
12-06.	A.	Received from Senate	645
12-06.	A.	Read first time and referred to committee on Rules	646
12-06.	A.	Made a special order of business at 9:17 A.M. on 12-13-2005 pursuant to Assembly Resolution 43	653
12-13.	A.	Read a second time	679
12-13.	A.	Assembly amendment 1 offered by Representatives Albers, Musser, Freese and Vruwink (LRB a1857)	679
12-13.	A.	Assembly amendment 1 laid on table, Ayes 88, Noes 9	679
12-13.	A.	Assembly amendment 2 offered by Representatives Vruwink, Molepske and Schneider (LRB a1807)	680
12-13.	A.	Assembly amendment 2 laid on table, Ayes 67, Noes 29	680
12-13.	A.	Assembly amendment 3 offered by Representative Molepske (LRB a1884)	680
12-13.	A.	Assembly amendment 3 laid on table, Ayes 73, Noes 24	680
12-13.	A.	Assembly amendment 4 offered by Representative Molepske (LRB a1862)	680
12-13.	A.	Assembly amendment 4 laid on table, Ayes 73, Noes 24	680

12-13.	A.	Ordered to a third reading	681
12-13.	A.	Rules suspended	681
12-13.	A.	Read a third time and concurred in , Ayes 74, Noes 23	681
12-13.	A.	Ordered immediately messaged	681
12-15.	S.	Received from Assembly concurred in.	

**2005
ENROLLED BILL**

05en S B- 33 / ✓

ADOPTED DOCUMENTS:

Orig Engr SubAmdt

05-3339 / ✓

Amendments to above (if none, write "NONE"): SA 3 SA 6

(as affected by SA 1 through 6)

Corrections - show date (if none, write "NONE"): none ✓

Topic relates

12/15/05
Date

Pete / Dy / m
Enrolling Drafter

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2005 SENATE BILL 331

September 14, 2005 - Introduced by Senators REYNOLDS, ZIEN, GROTHMAN, LAZICH and LEIBHAM, cosponsored by Representatives WOOD, F. LASEE, GUNDRUM, JESKEWITZ, KERKMAN, KESTELL, LOTHIAN, MCCORMICK, PRIDEMORE and VUKMIR. Referred to Committee on Natural Resources and Transportation.

1 AN ACT to amend 78.015 (1), 78.12 (4) (a) 4. and 78.12 (4) (b) 2. of the statutes;
2 relating to: eliminating the annual adjustment of the motor vehicle fuel tax
3 rate. *1-3 SA3 ✓*

Analysis by the Legislative Reference Bureau

Under current law, the rate of the motor vehicle fuel tax is annually adjusted by multiplying the tax rate by the percentage change in the annual average U.S. Consumer Price Index.

Under this bill, after the adjustment of the tax rate on April 1, 2006, the rate of the motor vehicle fuel tax is not annually adjusted.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

SA3
1-4
The people of the state of Wisconsin, represented in senate and assembly, do enact as follows: *Im. SA3 ✓*

4 SECTION 1. 78.015 (1) of the statutes is amended to read:
5 78.015 (1) Before April 1 the department shall recompute and publish the rate
6 for the tax imposed under s. 78.01 (1). The new rate per gallon shall be calculated
7 by multiplying the rate in effect at the time of the calculation by the amount obtained

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SECTION 1

1 under sub. (2). After the calculation of the rate that takes effect on April 1, 2006, the
2 department shall make no further calculation under this subsection and sub. (2).

3 **SECTION 2.** 78.12 (4) (a) 4. of the statutes is amended to read:

4 78.12 (4) (a) 4. Multiply the number of gallons under subd. 3. by the rate
5 published under s. 78.015 as increased under s. 78.017.

6 **SECTION 3.** 78.12 (4) (b) 2. of the statutes is amended to read:

7 78.12 (4) (b) 2. Multiply the number of gallons under subd. 1. by the rate
8 published under s. 78.015 as increased under s. 78.017.

9 (END)

2-8 → SAI to SAG ✓

**SENATE AMENDMENT 3,
TO 2005 SENATE BILL 331**

December 6, 2005 - Offered by Senators A. LASEE, LAZICH, STEPP, ROESSLER,
HARSDORF, DARLING, BROWN, COWLES, REYNOLDS, LEIBHAM, KEDZIE, ZIEN,
SCHULTZ and GROTHMAN.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 1, line 3: after "rate" insert "and the use of moneys in the
3 transportation fund".

4 **2.** Page 1, line 4: before that line insert:

5 "SECTION 1. 25.40 (3) of the statutes is created to read:

6 25.40 (3) (a) Except as provided in s. 85.52 (3) (cm), beginning on July 1, 2007,
7 no moneys deposited in the transportation fund that are not appropriated may be
8 transferred from the transportation fund to any other fund or appropriation account
9 in any other fund.

10 (b) Beginning on July 1, 2007, no moneys may be appropriated from the
11 transportation fund except for purposes related to the planning, design,
12 construction, reconstruction, expansion, rehabilitation, maintenance, or operation
13 of highway, airport, harbor, ferry, railroad, bicycle, or pedestrian facilities or service,

1-4

→

1-4 cent

1 or any costs attendant to such planning, design, construction, reconstruction,
2 expansion, rehabilitation, maintenance, or operation; the acquisition of
3 transportation facilities or property necessary to construct or enlarge transportation
4 facilities, or costs attendant to such acquisition or to disposal of any acquired facility
5 or property; costs associated with utility facilities within the rights-of-way of
6 transportation facilities or with radio communications facilities and equipment
7 owned or leased by, and services provided by, the department of transportation and
8 used for law enforcement; aids or assistance to cities, villages, towns, or counties for
9 transportation purposes; the expenditure of federal transportation aid received by
10 the state for any purpose for which the aid is provided or the provision of matching
11 or supplemental funds associated with such aid, or the expenditure of funds derived
12 from gifts or grants received by the department of transportation for any purpose for
13 which the gift or grant is provided; state enforcement of traffic laws; transportation
14 safety programs; the administration of laws related to motor vehicles, driver
15 licensing, or aeronautics; the payment of principal and interest on bonds issued for
16 highway, railroad, or harbor improvements or other transportation facilities; the
17 general costs of administration of the department of transportation; the costs of
18 administration of the taxes and fees that are deposited in the transportation fund;
19 terminal tax distribution payments under s. 76.24 (2) (a); tourism promotion under
20 s. 20.380 (1) (w); transfers to the conservation fund for motor fuel tax collections on
21 the use of fuel by snowmobiles, all-terrain vehicles, and motorboats; any refunds of
22 transportation fund taxes and fees authorized by law; or any other program
23 administered by the department of transportation on the effective date of this
24 subsection [revisor inserts date].”

1

✓
3. Page 1, line 4: substitute "**SECTION 1m**" for "**SECTION 1**".

2

(END)

**SENATE AMENDMENT 6,
TO 2005 SENATE BILL 331**

December 6, 2005 - Offered by Senator SCHULTZ.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 1: delete "2006" and substitute "2005".

3 (END)



**SENATE AMENDMENT 1,
TO SENATE AMENDMENT 6,
TO 2005 SENATE BILL 331**

December 6, 2005 - Offered by Senator GROTHMAN.

1 At the locations indicated, amend the amendment as follows:

2 **1.** Page 1, line 2: delete that line and substitute:

3 "1m. Page 2, line 8: after that line insert:

4 "**SECTION 3m.** 2005 Wisconsin Act 25, section 9408 (1x) of the statutes is
5 amended to read:

6 [2005 Wisconsin Act 25] Section 9408 (1x) PETROLEUM INSPECTION FEE. The
7 treatment of section 168.12 (1) of the statutes takes effect on ~~May~~ April 1, 2006.".

8 (END)

2-8

